

HW

TRANSMITTAL FORM

Application Serial Number	10/803,177
Filing Date	March 17, 2004
First Named Inventor	Wainwright
Group Art Unit	1655
Examiner Name	Gitomer, Ralph J.
Attorney Docket No.	CHR-004
Patent No.	Not applicable
Issue Date	Not applicable

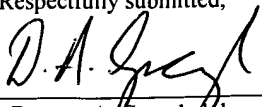
ENCLOSURES (check all that apply)

<input type="checkbox"/> Fee Transmittal Form <input type="checkbox"/> Check Attached <input type="checkbox"/> Copy of Fee Transmittal Form <input checked="" type="checkbox"/> Amendment/Response <input type="checkbox"/> Second Preliminary <input type="checkbox"/> After Final <input type="checkbox"/> Affidavits/declaration(s) <input type="checkbox"/> Letter to Official Draftsperson <input type="checkbox"/> Petition for Extension of Time <input type="checkbox"/> Information Disclosure Statement <input type="checkbox"/> Form PTO-1449 <input type="checkbox"/> Copies of IDS Citations <input type="checkbox"/> Certified Copy of Priority Document(s) <input type="checkbox"/> Sequence Listing submission <input type="checkbox"/> Paper Copy/CD <input type="checkbox"/> Computer Readable Copy <input type="checkbox"/> Statement verifying identity of above	<input type="checkbox"/> Copy of Notice to File Missing Parts of Application <input type="checkbox"/> Formal Drawing(s) <input type="checkbox"/> Request For Continued Examination (RCE) <input type="checkbox"/> Power of Attorney (Revocation of Prior Powers) <input type="checkbox"/> Terminal Disclaimer <input type="checkbox"/> Executed Declaration and Power of Attorney for Utility or Design Patent Application <input type="checkbox"/> Small Entity Statement <input type="checkbox"/> CD(s) for large table or computer program <input type="checkbox"/> Amendment After Allowance <input type="checkbox"/> Request for Certificate of Correction <input type="checkbox"/> Certificate of Correction (in duplicate)	<input type="checkbox"/> Notice of Appeal to Board of Patent Appeals and Interferences <input type="checkbox"/> Appeal Brief (in triplicate) <input type="checkbox"/> Status Inquiry <input checked="" type="checkbox"/> Return Receipt Postcard <input checked="" type="checkbox"/> Certificate of First Class Mailing under 37 C.F.R. 1.8 <input type="checkbox"/> Certificate of Facsimile Transmission under 37 C.F.R. 1.8 <input type="checkbox"/> Additional Enclosure(s) (please identify below)
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Respectfully submitted,

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PATENT
Attorney Docket No. CHR-004

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

APPLICANT(S): Wainwright *et al.* CONF. NUMBER: 4155
SERIAL NUMBER: 10/803,177 GROUP NUMBER: 1655
FILING DATE: March 17, 2004 EXAMINER: Gitomer, Ralph J.
TITLE: METHODS AND COMPOSITIONS FOR THE DETECTION OF
MICROBIAL CONTAMINANTS

Mail Stop Amendment
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

RESPONSE TO RESTRICTION REQUIREMENT

Dear Sir:

This paper is responsive to the Office Action for the above-identified patent application mailed from the U.S. Patent and Trademark Office on June 9, 2006. Applicants believe that no extension of time (because July 9, 2006, was a Sunday) or fees are required. However, please charge any fees necessary for entry of this paper to Deposit Account No. 07-1700.

According to the Office Action, the Office has required Applicants, pursuant to 35 U.S.C. §121, to elect an alleged single invention for prosecution on the merits. The alleged inventions include:

Group I, claims 1-14, drawn to a cartridge, classified in class 435, subclass 287.4;

Group II, claims 15 and 18, drawn to a method of detecting microbes, classified in class 435, subclass 31;

Group III, claim 44, drawn to a method of drying a hemocyte lysate onto a solid support, unclassifiable;

Group IV, claim **59**, drawn to a method of preparing an amebocyte lysate, unclassifiable;
and

Group V, claim **77**, drawn to a solid support, classified in class 435, subclass 395.

Applicants provisionally elect the claims of **Group I**, namely the subject matter defined by claims **1-14**, for further examination. Notwithstanding, Applicants respectfully request that the restriction between **Groups I** and **Group II** be reconsidered and that the claims in both groups be rejoined for purposes of further examination. Applicants submit that the method claims in **Group II** require the use of the cartridge defined by the claims of **Group I** and, therefore, a search for art relating to the **Group I** claims would also reveal publications relating to the **Group II** claims. Furthermore, Applicants would like the Office to clarify whether independent claim 21 belongs to **Group II**.

Applicants reserve the right to pursue any non-elected claims in one or more related applications.

Applicants believe that pending claims 1-14 read on the subject matter of **Group I**.

CONCLUSION

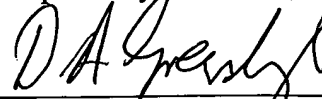
The Examiner is invited to contact the undersigned with any questions about this paper. Early favorable action is respectfully solicited.

Date: July 10, 2006
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LIBC/2792909.1

Respectfully submitted,



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CERTIFICATE OF FIRST CLASS MAILING UNDER 37 C.F.R. 1.8

I hereby certify that this correspondence, and any document(s) referred to as enclosed herein, is/are being deposited with the United States Postal Service as first class mail, postage prepaid, in an envelope addressed to Mail Stop Amendment, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on this 10th day of July, 2006.


Carrah M. Malone

Mail Stop Amendment
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

Submitted herewith is/are:

1. Transmittal Form (1 page);
2. Response to Restriction Requirement (2 pages); and
3. Return Receipt Postcard.